Reg. No. G-2/RNP/GOA/32/2015-2017

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Panaji, 6th January, 2017 (Pausa 16, 1938)

SERIES III No. 40

OFFICIAL GAZETTE

GOVERNMENT OF GOA

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EXTRAORDINARY

GOVERNMENT OF GOA

Department of Home

Home—General Division

Office of the District Magistrate,
North Goa

Order

No. 40/16(5)/2016-MAG/GE-GLA/ARMS/51

Read: 1. This Office Order No. 40/16(3)/16-MAG--ELNS/L&O dated 21-12-2016.

Whereas, this office vide order referred to at (1) above has prohibited the carrying of all types of arms, fire arms, ammunition lethal weapons, in any public place, street, road squares, through fare, by lanes or in any open place in entire North Goa District, till the election process is over.

And whereas, in the said order referred to at (1) above, all the arms license holders in the North Goa District were directed to deposit their fire arms at the nearest police stations of their respective jurisdiction and in no case after 6th January, 2017.

And whereas, in the said order, public servants, police, defence personnel and security personnel on duty and to those members of the community who are entitled to display weapons by long standing law, custom an usage, unless they are found to be indulging in violence or posing a threat to the maintenance of law and order and peaceful conduct of election are exempted from depositing the fire arms.

And whereas, it was also made known that, if any person has a real threat to his or her person/property, he/she should approach the Director General of Police for providing necessary security by the police, but under no circumstances will any person be allowed to carry his own personal firearm/s license or otherwise except with special permission from the District Magistrate.

Now therefore, in view of the instructions contained in Election Commission of India letter No. 464/INST/2009/EPS dated 01-09-2009, the undersigned hereby constitute a committee as under to screen the cases of arm license holders who have not deposited their weapons in the police custody by due date and to examine all the requests of arm license holders for exempting them from deposing their weapons with the police:

1. The District Magistrate and District Election Officer .... Chairman
2. The Superintendent of Police (North) .... Member
3. The Additional District Magistrate - I, North .... Member Secretary.

This order shall come into force with immediate effect.

Given under my hand and seal of this office on 5th day of January, 2017.

Panaji.— The District Magistrate, North Goa District, *Agnelo A. J. Fernandes.*

Order Under Section 144(1) of Criminal Procedure Code, 1973

No. 40/16(5)/2016-MAG/Law & Order/52

Whereas, the Election Commission of India has announced the election to the Goa Legislative Assembly - 2017 scheduled to be held on 04-02-2017 and the election Model Code of Conduct has come into effect from 04-01-2017, the Election Commission of India, New Delhi had given direction to ensure free, fair and peaceful elections;

And whereas, to prevent undue influence of voters through distribution of liquor and to ensure free, fair, peaceful and orderly conduct of the election process, it is felt appropriate that the timings for closure of all liquor bars/shops, pubs, provision stores, etc. need to be curtailed;

And whereas, Section 29(A) of Goa Excise Duty Act, 1964 and Rules thereunder empowers the District Magistrate to order the closure of liquor bars, restaurants serving liquor, liquor shops, pubs, provision stores, etc. at such times and for such period as may necessary and appropriate for preservation of public peace and tranquility.

And whereas, in my considered opinion, there is sufficient ground for proceeding under sub-section (1) of Section 144 of Code of Criminal Procedure, 1973 for closure of all bars and all shops, pubs, provision stores, restaurants where liquors are being served or sold;

And whereas, I am satisfied that the circumstances do not permit of serving, in due time, of the notices individually upon the persons against whom this order is directed.

Now therefore, I, Agnelo A. J. Fernandes, District Magistrate, North Goa, in exercise of the power vested in me under Section 144 of Cr. P.C., 1973 read with Section 29A of the Goa Excise Act, 1964, do hereby Order that all the liquor bars, shops, pubs, shacks, clubs, provision stores or any establishment serving or selling liquor in North Goa District shall be closed every day by 11.00 p.m. with immediate effect till the election Model Code of Conduct is in force. However, this order does not apply to those establishments, provision stores, etc. which are required by law to be closed before 11.00 p.m.

If any liquor shop/bar, pub or any establishment serving liquor is found opened beyond the aforesaid timings, during the said period, it shall result in the cancellation of licenses and the owner or offender shall be liable for penal action under Section 188 of Indian Penal Code, Section 30 of the Excise Duty Act, 1964 and other relevant provisions of laws in force.

The Flying Squads, officials of the Excise Department, Sector Magistrate, Police or any other authorized officers/officials shall act immediately in case any violation comes to their notice or reported to them and should forthwith report such cases to the Commissioner of Excise and/or the Returning Officer concerned.

Given under my hand and seal of this office, this 4th day of January, 2017.

Panaji.— The District Magistrate, North Goa District, *Agnelo A. J. Fernandes.*

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